

CAMPAIGN SPENDING COMMISSION

STATE OF HAWAII

In Re the Matter of) CA 06-06
)
Hawaii Committee on Political Education)
(COPE))
Respondent.)
_____)

CAMPAIGN SPENDING
COMMISSION

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CONCILIATION AGREEMENT

On or around March 2006, Barbara U. Wong, Executive Director for the Campaign Spending Commission ("Commission"), initiated an investigation of Hawaii Committee on Political Education, COPE ("Respondent"). The investigation was initiated pursuant to the express authority of section 11-193(a)(7), Hawaii Revised Statutes ("HRS"), for a determination of whether the Hawaii campaign spending laws had been violated and a complaint would be submitted to the Commission.

NOW, THEREFORE, Respondent and the Commission, having entered into conciliation and pursuant to section 11-216(g), HRS, do hereby agree as follows:

- I. That the Commission has jurisdiction over Respondent and the subject matter of this administrative action.
- II. That this Conciliation Agreement ("Agreement") and upon complete performance of the conditions stated herein has the effect of remedial or corrective action taken by Respondent pursuant to section 11-216(g), HRS.
- III. That Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

- IV. That Respondent waives the right to be heard at a public hearing conducted under chapter 91, HRS, pursuant to section 11-228(b), HRS.
- V. That Respondent having voluntarily and fully cooperated with this investigation desires to resolve any potential litigation by entering into this Agreement with the Commission on its own volition and with full knowledge and understanding.
- VI. That parties agree to the pertinent facts as follows:
1. On or around March 2006, Barbara U. Wong, Executive Director for the Commission, initiated an investigation of Respondent involving excess contributions in violation of Hawaii campaign finance laws.
 2. Section 11-204(a), Hawaii Revised Statutes (HRS), provides in relevant part as follows:

“(a)(1) No person or any other entity shall make contributions to:..... A candidate seeking nomination or election to a four-year non-statewide office or to the candidate’s committee in an aggregate amount greater than \$4,000 during an election period...”
 3. Rosalyn Baker was a candidate for a four-year non-statewide office in 2004.
 4. The election period for Ms. Baker for this 2004 election was from November 7, 2000 though November 2, 2004.

5. Respondent reported making contributions during this 2004 election period to Ms. Baker totaling \$4,250 as follows:

May 29, 2003	\$250
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June 30, 2004	\$4,000
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6. Respondent acknowledges that one excess contribution totaling \$250 was made in violation of section 11-204(a)(1), HRS.
7. The excess contributions were not knowingly, intentionally, or recklessly made pursuant to section 11-229, HRS.

VII. Settlement Terms

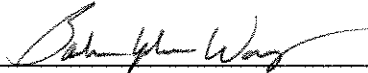
1. As final settlement of the matter and issues in Conciliation Agreement 06-06, Respondent understands and agrees to an assessment of **Two Hundred Dollars** (\$200) pursuant to section 11-228, HRS.
2. Respondent agrees to comply with Hawaii laws on campaign contributions and expenditures.
3. Terms of payment of the assessment shall be by Order of the Commission.

- VIII. The Commission upon its own motion or a written request of anyone filing a complaint under section 11-216, HRS, may review compliance with the Agreement. If the Commission believes that the Agreement has been violated, it may institute administrative proceedings or a civil action in the Circuit Court of the First Circuit pursuant to section 11-228(c), HRS.

- IX. This Agreement shall become effective as of the date that all parties have signed and the Commission has approved the entire Agreement.
- X. This Agreement constitutes the entire agreement between the Commission and Respondent on the matters raised herein, and no other statement, promise, or agreement, either in writing or oral, not contained in this Agreement made by either party or by agents of either party shall be enforceable.
- XI. This Agreement, unless violated, shall be a complete bar to any further action by the Commission with respect to the violations at issue in this matter.

FOR THE COMMISSION:

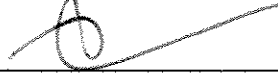
Barbara Uphouse Wong, Executive Director



Date: 5-25-06

FOR THE RESPONDENT:

Hawaii Committee on Political Education (COPE)

By: 

Its: COPE Director

Date: 5-23-06